EHDS

1. CASE NO. 960603CCC7230				GATOR'S ID 6][0][8]	3. OFFICE CODE [8][3][0]		EPIDEMIOLOGIC			
4. DATE OF INCIDENT YR MO DAY E [9][6][0][3][1][2]						O DAY [2][2]	1			
6. SYNOPSIS OF INCIDENT OR COMPLAINT. A fire caused an estimated \$50,000 damage to a home. The fire is alleged to have been caused by a toaster oven that was on a kitchen counter top. No one was home at the time of the fire and no injuries occurred. The toaster oven was examined by an electrical engineer and he determined that the fire was caused by the appliance.										
7. LOCATION (Hame, school, etc.)			8. CITY Galion				9. STATE OHIO			
Home [1][0]		'1	Gallon				00			
10A. FIRST PRODUCT [0][2][1][6]Toaster oven.				11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Black & Decker, model number unknown. Towsontown Centre, MD 21286						
10B. SECOND PRODUCT [][][]None				11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS						
12. AGE OF VICTIM	TIM 13. SEX (USE NUMERICA MALE - 1			L CODEJ 14. DISPOSITION			15. INJURY DIAGNOSIS			
[9][9][9]	FFMALE	_	[9]		[0]	No injury		[7][0]		
16. BODY PART 17. F		RESPONDENT(S) (Mother, Friend) [3]Fire Dept.			18. TYPE INVESTIGATION 19. TIME SPENT ON SITE - 1 Hours [0][9] TELEPHONE - 2 [3] Travel [0][4			Hours [0][9].[]		
						J.II.LK	- 5			
20. ATTACHMENTS [9] Multi		[0][5]Newspaper			2. REVIEWED BY YR MO DAY [8][3][1][1] [9][6][0][7][1][0]					
23. PERMISSION TO DISCLOSE NAMES										
(NON-NEISS CASES ONLY) CPSC MAY DISCLOS 24. NARRATIVE (See Instructions on Page 2)				/ DISCLOSE MY	NAME [X	CPSC MAY NOT DISCLOSE MY NAME [] 25. REGIONAL OFFICE DIRECTOR REVIEW DATE				
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(USE ADDITIONAL SHEETS IF NECESSARY)

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PRE-ACCIDENT

The respondent, her husband, and their children lived in a single family, wood-frame home. The respondent reports that 12 to 18 months before the fire occurred she was given a toaster oven by her husband's parents. The toaster oven she had was broken, so the in-laws gave them a toaster oven that was about 12-18 months old. Therefore the toaster oven was between two to three years old.

The respondent used the toaster oven without any problems for the 12-18 months she had it prior to the fire. She described her use of the toaster oven by saying it wasn't used much.

The toaster oven was on a kitchen counter top and it was plugged into the right hand outlet of a three way extension plug assembly. This extension plug assembly was plugged into the top outlet of a duplex outlet. The duplex outlet was grounded and the extension plug assembly was not grounded. The respondent reports that a small towel was thrown over the toaster oven as a cover. Next to the toaster oven was a mixer that was reported not to have been plugged into any outlets.

On the day of the fire the respondent was working in the kitchen. She discovered she needed some items from the grocery store so she took the kids and left for the store. The respondent said she was gone from the residence for 15-20 minutes.

ACCIDENT

When the respondent returned home, she thought she heard smoke alarms. She opened a door to the home and discovered it was full of smoke. She attempted to save some family pets, but was unsuccessful. She ran across the street and called the fire department.

POST-ACCIDENT

A fire department report attached to this report as Exhibit #1 indicates that the point of origin of the fire was near the toaster oven. A representative of the respondent's insurance company examined the fire scene and subsequently hired a fire investigator to conduct an investigation.

A copy of the fire investigator's report is attached to this report as Exhibit #2. The investigator determined that the point of origin of the fire was near the toaster oven. He collected the toaster oven, the mixer, the electrical box, and duplex

outlet so these items could be examined by an electrical engineer.

The electrical engineer examined these items and determined that the toaster oven caused the fire. Additionally, the engineer bought one of these toaster ovens at an estate sale and examined it to confirm his findings on the burned toaster oven. The engineer's report is attached to this report as Exhibit #3.

PRODUCT IDENTIFICATION

No information was available about the toaster oven model number. The only information available was that the toaster oven was a Black & Decker brand. The electrical engineer states in his report that the toaster oven was originally designed by General Electric and he shows in his report a wiring diagram that he says is a General Electric wiring diagram.

In the cover letter (attached as Exhibit #4) I received with the two above-mention reports, the insurance company indicates that there are photo available. The photos will be sent for and will be forwarded as an addendum upon receipt.

Also note in the cover letter that the insurance company has not notified Black & Decker about the fire as of July 1, 1996.

VOLUNTARY STANDARDS INFORMATION

No information was available regarding voluntary standards.

EXHIBITS

- 1. Fire Department Report
- 2. Fire Investigator's Report
- 3. Electrical Engineers's Report
- 4. Cover Letter From Insurance Company
- 5. Assignment/Newspaper Article

Gallon Fire Department Complete Incident Report

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Page 11

Date: 05-25-1996 (CI*103)

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PROBER Chief

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PRODER Chief

(CI*I03) Complete Incident Report Time

Tracte Response Comments/Remarks Venutzent Bise : Pate: 06-25-1996 -164 RESPONDED TO A REPORT OF A HOUSE PIRE LT BROWN IF WOLF PP D PROPIRS ONEGARD ON ARRIVAL FOUND PLANES COMING OUT OF KITCHEN WINDOWS EXTINGUISHED FIRE WITH SOOSTER LINE FIRE STARTED ON COUNCER FOR MEAR SHALL TOASTER OVEN HAT OF BEEN THE CAUSE OF THE FIRE KITCHEN TOTAL LOSS HEAT AND SHOKE DAHAGE TO ENTIRE HOUSE EST.DAHAGE \$50,000 Galion Fire Department ***** : 17807 Incident Year: 96 Incident # : 960064

Page #:

960603CCC7230 Exhibit #2

ASSIGNMENT

On March 13, 1996, this office received a telephone assignment from Ms. Anna Stiles of St. Paul Insurance Company requesting an origin and cause examination be conducted on a residential fire loss located at 147 Erie Street; Galion, Ohio. The loss occurred on March 12, 1996, at 4:34 p.m. The residence was occupied by Robert and Janice Tuscan and their three children.

At the time of assignment, a telephone number was received from Ms. Stiles for this agency to contact the insured. It was decided to meet the insured on March 15, 1996, at 9:00 a.m.

BACKGROUND

On the above scheduled date, Investigator Robert Burns arrived at the loss location and was met by Mr. Tuscan. At that time, this investigator presented Mr. Tuscan with our Consent for Scene Examination form which he read and signed. That form is included with this report.

During the course of the investigation Mr. and Mrs. Tuscan were interviewed. A synopsis of that interview can be found in the "Additional Information" section of this report.

It should be noted that during the scene investigation, Firefighter Gail Baldinger, an Investigator for the Galion Fire Department, arrived at the scene. He was present during part of the scene examination and provided this investigator with information found during the fire department's investigation of this loss. A synopsis of that interview can also be found under the "Additional Information" section of this report. A copy of the Galion Fire Department Incident Report will be attached with this report.

FIRE SCENE

This investigator began by conducting an overall visual scene examination. The examination revealed an older two story with a one story addition, single family residence.

The exterior east side of the residence revealed direct flame contact had exited a first floor window which was later learned to be the window above the kitchen sink. Heavy smoke and heat damage were observed to the main entrance door used by the family members. This can be seen in photographs #1 and #5.

Further examination of the north and west sides of the residence revealed no direct flame exit; however, the windows on these sides had carbon build up on the interior side. This can be seen in photographs #2 and #3.

The exterior examination of the rear (south side) of the residence, once again, revealed direct flame contact above the first floor windows which later were

learned to be the windows above the kitchen table. There was also direct flame contact to the doorway from the kitchen to the patio area. This damage can be seen in photograph #4.

This investigator then entered the residence through the main entrance located on the east side of the residence. As this investigator entered the doorway, a hallway was found. Included in this hallway was a cased opening to the north, which leads to the study and on the south side, which leads to the kitchen. The walls and ceiling surface revealed heavy smoke damage along with surface blistering caused by the amount of heat coming from the direction of the kitchen. Examination of the cased openings revealed that in addition to the smoke and paint blistering, charring to the upper portion occurred at the kitchen opening. This damage can be seen in photograph #6.

This investigator then entered the study to the north which revealed heavy smoke damage to the room along with charring to the wallpaper above and near the hallway opening. This can be seen in photograph #7.

Entry was then made into the living room through the large cased opening which, once again, revealed heavy smoke damage along with heat damage to the ceiling fan blades and paint blistering at the top of the opening to the foyer room. This room also revealed a doorway to the north which contained a first floor bedroom and bathroom in the north end of the residence. These rooms also suffered smoke damage.

This investigator then proceeded back into the living room and then to the second floor by way of an open stairwell in the southeast corner of the living room. Examination of the second floor rooms revealed, once again, smoke damage throughout the area. This can be seen in photographs #9 through #12.

Upon returning to the first floor, this investigator proceeded south through a cased opening into the foyer. Examination of this room revealed a heavy concentration of heat and smoke damage to the upper portion of the room. The heaviest charring seen was to the cased opening from the foyer to the kitchen. This damage can be viewed in photographs #14, #15, #19 and #20.

The next room examined was the porch which was also being used as the laundry area by the family. This room revealed signs of heavy smoke and heat damage which can be seen in photographs #15 and #16.

From the porch, this investigator then went back into the foyer and proceeded south through a cased opening, down two steps and into the family room at the south end of the residence. Examination of this room revealed that the basic damage confined to a concentration of smoke. This can be seen in photographs #17 and #18.

At this point, this investigator proceeded back to the foyer area and then entered, through the cased opening, the kitchen area. Upon entering the

kitchen and bearing in mind the conditions seen in the other parts of the residence, it was quite obvious to this investigator that the heaviest concentration of flame damage occurred in this room. This damage included the loss of the windows and scorching of the exterior siding, the heavy charring of the wood work and cabinetry, the loss of the sheet rock ceiling and other damage done. This can be seen in photographs #21 and #22.

This investigator was then escorted to the patio area by Mr. Tuscan so that entry could be made into the basement. Examination of this area revealed the basement was divided into three rooms under the original two story part of the residence. There was no direct flame damage observed by this investigator; however, some slight smoke and water damage could be seen. This concluded the overall visual scene examination.

POINT OF ORIGIN

In order to determine the point of origin of the fire, this investigator worked from the areas of least damage to the area of greatest damage. In doing so, efforts were concentrated in the kitchen on the first floor.

Prior to removing any debris from the scene, this investigator observed several things about the kitchen area. It was noted that the upper cabinets to the right or south of the sink sustained the heaviest amount of fire damage. The depth of charring in the front of the lower cabinets was heaviest below the upper cabinet. The back splash area between the counter top and upper cabinet was also noted to have sustained heavy damage. The condition of the appliances in this area also indicated the fire had been most intense and burned for the longest period of time in this area. These observations can be seen in photographs #25 through #34.

To better view the burn and char patterns, this investigator began to remove the debris and the small appliances from the counter top. After the removal, this investigator found several spots on the counter that were protected. These spots were the location of dirty dishes, coffee cups, a tin container and the toaster oven. These protected areas can be seen in photographs #37 and #38.

This investigator then proceeded to replace the appliances back into their prefire positions along with a portion of the bottom shelf of the upper cabinet which was placed on top of the microwave near its original position. These items can be seen in photograph #40.

This investigator then removed the debris in front of the lower cabinet unit. This was accomplished to obtain a full view of the front of the cabinet and floor area immediately in front of the cabinet. This area can be seen in photographs #41 and #42.

After completing the debris removal process, returning the items to their prefire positions, reading the burn and char patterns and taking into account the physical evidence in this area, it is the determination of this investigator that the fire originated on the counter top south of the sink and window.

UTILITIES

During the processing of the fire scene, this investigator examined all of the utilities within the structure. These utilities were photographed and their identification numbers were listed in the Preliminary Report. Nothing was found in any of the utilities to indicate they were a contributing factor in this fire. Therefore, they were eliminated as possible ignition sources.

It should also be noted that an electrician reworked the breaker panel in the basement prior to this investigator's arrival. This was accomplished soon after the fire so that power could be supplied to the garage area next to the residence.

CAUSE OF FIRE

After determining the point of origin of this fire, this investigator focused his attention on determining a cause for the fire. In doing so, the entire area of origin was examined for all accidental ignition sources.

In re-examining the area of origin, this investigator examined a duplex outlet south of the window. The top outlet contained the remains of a three way extension plug assembly. It should be noted that although the duplex outlet was a grounded outlet, the three way extension plug did not have a ground connector as part of the plug assembly. This can be viewed in photograph #35.

This investigator was advised by Mrs. Tuscan that the toaster oven was plugged into the right hand outlet of the three way extension plug assembly. She also advised that the microwave was plugged into the bottom outlet of the duplex. Examination of the toaster oven revealed there had been a fabric type material cover over the top of it. This was later confirmed by Mrs. Tuscan who stated she had placed a small towel over it as a cover. Further examination revealed the power cord had been severely damaged and parts of it were missing. It is possible that some pieces of the power cord may be in the melted portion of the food mixer which was located next to the toaster oven. Additional examination revealed that all plastic components were consumed during the fire and the appliance itself was severely damaged.

Examination of the food mixer revealed that the base had sustained enough heat to be melted and that the plastic housing was consumed during the fire. This investigator was advised by Mrs. Tuscan that the mixer was not connected to a power source.

In viewing the microwave located at the south end of the counter top, the damage seen was a result of the fire in the immediate area to it. It should be noted that the insulation on the power cord was burned away up to a point that the cord went behind the unit next to the back splash.

After eliminating all other accidental ignition sources and taking into account the severity of the damage which was sustained to the toaster oven, it is the professional opinion of this investigator based on a reasonable degree of fire investigation certainty that the toaster oven was the ignition source of the fire.

This investigator felt it was necessary to retrieve the toaster oven, electrical box and duplex outlet and the food mixer and have them examined by an electrical engineer to determine any malfunctioning that may have occurred within the toaster oven.

Arrangements are presently being scheduled for the above-mentioned items to be viewed by Professor Lloyd R. Brown, Electrical Engineer at Washington University in St. Louis, Missouri.

ADDITIONAL INFORMATION

During an interview with Mr. and Mrs. Tuscan, this investigator was advised that Mr. Tuscan left the residence early Monday morning to begin a business sales trip that would last all week until he returned home on Friday. He went on to state that on the day of the loss, he was paged in his motel room in Chicago by his wife from a car phone. Upon calling the number on his pager, he was advised that there had been a fire at the residence. After the telephone conversation, he left the motel and returned home as quick as he could.

This investigator then was advised that Mrs. Tuscan had been working in the kitchen. In the process, Mrs. Tuscan turned the range oven on to preheat. As the oven was preheating, she discovered that she needed to go to the store for a couple of items. Mrs. Tuscan then left the residence with the children and went to the store in the family vehicle. She stated she was gone from the residence for approximately 15 to 20 minutes. Upon her arrival back at the residence, she and the children got out of the vehicle and she thought she could hear smoke detectors sounding. She then went to the east side entrance where she smelled smoke and tried to enter the residence. Upon opening the door, she found the residence full of smoke. She then ran across the street to a neighbor on the corner to have the fire department called.

She then came back to the residence and tried to rescue the family pets. Because of the heavy concentration of smoke, friends and neighbors were unable to rescue the three cats that died in the residence. Everyone then waited for the fire department to arrive and extinguish the fire.

This investigator later asked Mr. Tuscan for information concerning the toaster oven. Mr. Tuscan advised that the appliance was originally owned by

his parents, Mr. and Mrs. Joe Tuscan. The appliance was purchased approximately two to three years ago. His parents had owned it for approximately 12 to 18 months and then gave it to their son's family when a previous toaster oven quit working. This investigator was advised by the insured that they had owned it for approximately 12 to 18 months. They went on to state that they had not had any problems with it since owning it.

It should be noted that while this investigator was at the scene, the Galion Fire Department Investigator Gail Baldinger presented himself. He stated his main purpose was to advise this investigator of the fire department's findings and to see if this investigator had any questions as to the fire department activities at the scene. He also stated that a State Fire Marshal Investigator David Bowman had been at the scene with him and concurred with the fire department's conclusion as to the ignition factor for the fire loss.

It should also be noted that Ms. Anna Stiles was present at the scene for part of the time. She provided a copy of the incident report to this investigator which will be included as part of this report. This investigator advised Ms. Stiles of the plans to remove the previously mentioned items for further examination and she concurred that would be fine.

Respectfully Submitted By:

Robert D. Burns, Jr.

Investigator

Reviewed By:

William N. Buxton, CFI

President

LLOYD ROBERT BROWN 960603CCC 7230

CONSULTING ENGINEER

4010 Stag Court Florissant, Missouri 63033 314--921--5224

April 27, 1996

Report on the examination of material from the fire damaged house of Robert Tuscan, 147 Erie Street, Galion, Ohio. Date of the fire was March 12, 1996. St. Paul Claim # 550008995-1.

On March 29, 1996 I examined the material at the Pyr-Tech offices in Collinsville, Illinois. I also read the fire report prepared by Mr. Robert Burns, of Pyr-Tech.

Photos were taken during the examination and are included as · part of this report.

Mr. Burns stated in his report that the fire origin was on a counter top in the kitchen. Two items were in the area, (1) a mixer that was not plugged in, and (2) a Black and Decker toaster oven that was plugged in.

Available for examination was the remains of the toaster oven, remains of the mixer, and wall receptacle that the toaster oven was plugged into.

The remains of the mixer were examined and negated as a possible ignition source. The motor windings were intact, evidence verified the unit was not plugged in, and all damage was from the existing fire.

The wall receptacle was examined and all damage was from external heat. There was no evidence of any electrical activity (arcing) or hot spots on the remains.

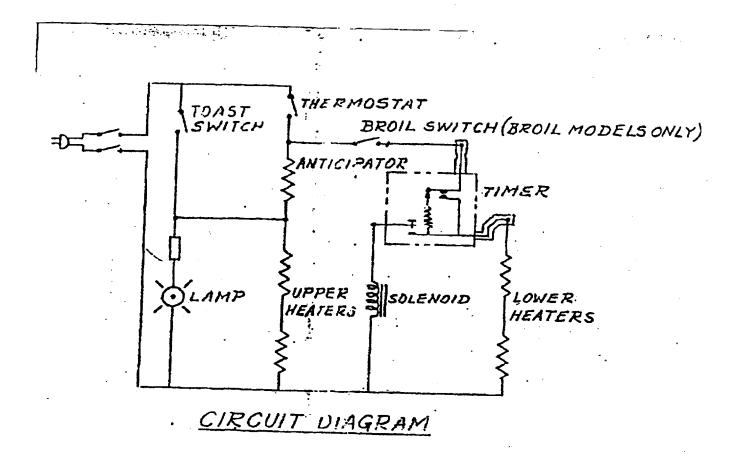
The toaster oven was examined with the following observations. (1) The toaster latch lever was down and (2) the broiler

IDI 960603CCC1230

control knob was missing. The plastic end pieces had burnt away leaving only the fire damaged metal shell and components.

This toaster oven was origionally designed by a division of General Flectric. That division was bought out by Black and Decker and only very minor changes were made when produced under the Black and Decker label.

A General Electric wiring diagram is shown below. I examined a Black and Decker unit and the only change I could find was that the indicator lamp had a switch in series with it.



Note the switch "BROIL SP" in the wiring diagram. This is a normally closed switch and is only intended to open when the broil selector knob is set to its maximum (cw) position. Note this switch is in series with the toaster release control circuit. If the toaster lever is pushed down and the "Broil SW" is open, the two top heating elements will never shut off.

I measured the temperature of the top of the oven to get to 325 degrees under the conditions of the toaster lever down and the "Broil SW" open. I am told by others that it gets to about 350 degrees with nothing a top and as high as 600 degrees with something laying on top. It was reported that a towel was laying across this toaster oven at the time of the fire.

I bought one of these toaster ovens at an estate sale for examination. I found that the "Broil SW" was always open and appeared to have no contact point. This functionally meant the lower heating elements never turned on and when the toaster lever was pushed down it never released and thus the upper two heating elements never shut off.

Opinion:

The ignition source for this fire was the Black and Decker toaster oven.

The toaster lever was found in the down position. This indicates the toast function was initiated and never shut itself to off. The reason it did not shut off would be because the concern of the was open. It was most likely open due to a marking the tition of the switch.

Date: April 30, 1996 flag



IOI 960603CCC 7230 EXHIBIT#4

July 1, 1996

St. Paul Fire and Marine Insurance Company Eastern Personal Insurance Claim Service Office Arna Stiles, AIC P.O. Box 29190 Cumberland, IN 46229-0190 Telephone (317) 891-8595 WATS (800) 236-8632 Facsimile (317) 891-9044

U.S. Consumer Product Safety Commission 1114 N. Court Street P. O. Box 713 Medina, OH 44258

Attention: Edward Blythin

RE: Claim Number: 55000-8995-7

Insured: Robert Tuscan

Date of Loss : 3/12/96

Dear Mr. Blythin:

Per your request, attached are copies of the written reports from Lloyd Robert Brown and Robert D. Burns with Pyr-Tech. My copy machine does not do photos very well. If you need a copy of the photos, please let me know and I get copies made.

We have not yet notified the manufacturer. I am awaiting a signed form from the insured and then will be forwarding my file to our subrogation department.

Should you need any further information, please advise.

Sincerely,

ST. PAUL FIRE & MARINE INSURANCE COMPANY

Anna Stiles, A.I.C. Property Specialist

Encl.

Members of The St. Paul Companies: St. Paul Fire and Marine Insurance Company St. Paul Mercury Insurance Company St. Paul Guardian Insurance Company The St. Paul Irisurance Company The St. Paul Insurance Company of Illinois St. Paul Property and Casualty Insurance Company St. Paul Fire and Casualty St. Paul Indemnity Insurance Company St. Paul Insurance Company of **Morth Dakota**

ACCIDENT INVESTIGATION REQUEST FORM

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Assigned to CHIO	Date 6/3/96
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EXHIBIT #5

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- 8 APR 1996

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OHIO NEWS BUREAU INC. CLEVELAND, OHIO 44115 216/241-0675

MEMS JOURNAL MANSFIELD, OH. PM CIRC. 41,319 T2-20 15) F41

MAR-14-96

Fire destroys Galion family's home

By Dan Kopp 59 News Journal

GALION — Janice Tuscan was having a typical afternoon Tuesday. She picked up her son, Bryan, 8, from school and was returning home after a quick trip to the grocery store.

It was time to start preparing dinner.

But when she got out of the car, she knew something was wrong. The smoke alarm was going and she could smell the faint odor of plastic.

When she got to the front door of her 147 Erie St. house, she smelled smoke.

The house she had left just 20 minutes before was on fire.

Galion Fire Chief Bob Keyes said the problem was an electrical failure in a toaster oven. By the time firefighters arrived shortly after 4:30 p.m., flames were shooting out of the windows and a door. Damage was estimated at \$50,000.

Tuscan said the toaster oven was used sparingly, the last time Saturday to warm up some pizza.

The Tuscan family, which also includes husband, Bob, and children Kelly, 17, and Lesley, 4, had lived in the house for 13 years.

They are safe, but a cat and two kittens died in the fire. Besides the animals, a lot of family treasures were lost.

"Those can be replaced," Tuscan said. "The main thing is to try to keep our children's lives as normal as possible. We're looking for a home to rent so we can get some kind of routine established for them."

Bob Tuscan was in Chicago at the time of the fire. He arrived home about 10:45 p.m. Tuesday, after his wife's call. The family is staying with Bob's parents.

Janice Tuscan said she has been overwhelmed by the outpouring of concern and support by family, friends and neighbors.

"It's nice to know people care so much," she said.